

REMARKS

In the June 15, 2004 Office Action, the Examiner:

- Objected to the disclosure due to informalities: 1) the first sentence of the specification does show updated priority information; and 2) Figures 35A, 35B, 35C, 36A, 36B, 36C, 37A, 37B and 37C were submitted, however the specification only described Figures 35-37.
- Rejected claim 55 under 35 U.S.C. 112, second paragraph, as being indefinite;
- Rejected claim 55 under 35 U.S.C. 102(b) as being anticipated by *Zolg* ("Zolg", U.S. Patent No. 5,525,463);

Specification

Pursuant to Applicants claim to priority previously submitted, 37 CFR 1.78, and the Examiner's request, the first sentence of the specification has been amended to claim priority to U.S. Patent No. 6,649,404.

The Brief Description of the Drawings have been amended to refer to Figures 35A, 35B, 35C, 36A, 36B, 36C, 37A, 37B and 37C. The specification already describes Figures 35-37. No new matter has been added.

Claim Rejections - 35 U.S.C. § 112

Claim 55 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner states that claim 55 is vague and indefinite since in the first part of the claim a chemical species has been immobilized on a fiber, and it is unclear why the second part of the claim requires that said immobilized chemical species contacts said fiber.

Claim 55 has been amended to correct a typographical error. Claim 55 now requires that the mobile chemical species contacts the immobilized chemical species on the fiber. Accordingly, it is respectfully submitted that this correction clarifies the claim and the Examiners concerns.

Claim Rejections - 35 U.S.C. § 102

The Examiner has rejected claim 55 under 35 U.S.C. 102(b) as being anticipated by *Zolg*. For a proper showing that these claims are anticipated by *Zolg*, all elements of each rejected claim must be disclosed in the cited reference.

The Examiner states that *Zolg* discloses immobilizing chemical species on a fiber, where the fiber is a positively charged nylon membrane. However, a nylon membrane is not a fiber and cannot be construed as such. For example, a membrane, as used in its chemical sense and as defined in the *American Heritage College Dictionary* 849 (Third Ed. 1997), is a “thin sheet of natural or synthetic material that is permeable to substances in solution.” A fiber, on the other hand, is defined in the *American Heritage College Dictionary* 505 (Third Ed. 1997), as a “threadlike object or structure.” Accordingly, it is respectfully submitted that a flat thin membrane is not a threadlike fiber and cannot be construed as such.

Moreover, amended claim 55 now requires that the fiber is placed on a support across a channel formed in the support. No such support having a channel is disclosed in *Zolg*, let alone placing a fiber across such a channel.

In light of the amendments made to independent claim 55 and the arguments presented above, it is respectfully submitted that *Zolg* does not disclose, teach, or suggest all of the limitations of each independent claim. Accordingly, *Zolg* does not anticipate any of the independent claims or any of the claims that depend therefrom.

New Claims

New claims 75-84 correspond to original claims 56-60, 64-67 and 73. It is respectfully submitted that *Zolg* does not anticipate any of these claims, as each claim requires a fiber, which is not disclosed, taught or suggested by *Zolg*.

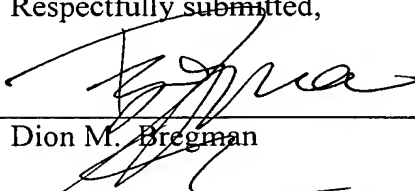
CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is now in a condition for allowance. However, should the Examiner believe that the claims are not in condition for allowance, the Applicant encourages the Examiner to call the undersigned attorney at 650-843-7519 to set up an interview.

If there are any fees or credits due in connection with the filing of this Amendment, including any fees required for an Extension of Time under 37 C.F.R. Section 1.136, authorization is given to charge any necessary fees to our Deposit Account No. 50-0310 (order No. 061193-0049-US). A copy of this sheet is enclosed for such purpose.

Respectfully submitted,

Date: October 12, 2004


Dion M. Bregman

45,645
(Reg. No.)

MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square
3000 El Camino Real
Palo Alto, California 94306
(650) 843-4000